

DEPARTMENT OF TRANSPORTATION

TRANSPORTATION PROGRAMMING

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February 28, 2005

METROPOLITAN PLANNING ORGANIZATIONS

Dear Executive Directors:

- Subjects: 1) Revised 2004-2005 Congestion Mitigation and Air Quality (CMAQ) Program Estimates; and
- 2) Federal Guidance on CMAQ and Revocation of the 1-Hour Ozone Standard

Revised 2004-2005 Congestion Mitigation and Air Quality (CMAQ) Program Estimates

In April, 2004, the Department of Transportation (Caltrans) provided estimated funding levels to Metropolitan Planning Organizations (MPOs) for the purpose of developing the 2004 Federal Transportation Improvement Programs. Since that time, changes have occurred which impact the estimated distribution of Congestion Mitigation and Air Quality (CMAQ) Program funds.

A revised, estimated 2004-2005 CMAQ distribution is provided in Attachment I. Though the total estimated funding level for California remains the same, the following adjustments are made:

- 1) Updated population estimates (based on 2003 data; prior estimate based on 2001 data);
- 2) Revised San Diego and Santa Barbara ozone factors from 1.2 to 0.8 (re-designated to attainment July 28, 2003);
- 3) Revised San Joaquin Valley air basin counties ozone factor from 1.3 to 1.4 (re-designated from serious to extreme May 17, 2004);
- 4) Corrected the distribution of CMAQ funds between the Metropolitan Transportation Commission and the Sacramento Area Council of Governments.

Un-obligated balances will be updated by Caltrans' Division of Local Assistance.

It is important to note that the transition to 8-hour ozone standard and reauthorization may affect the 2004-2005 CMAQ, and is likely to affect the 2005-2006 distribution formula. Any changes to the CMAQ formula will be addressed following enactment of a reauthorization bill, assuming such bill adds PM2.5 and 8-hour ozone areas to the apportionment formula.

The attached estimates are subject to change and should be used for planning purposes only. Actual apportionments will be released after the Federal Appropriations Act is signed by the President and federal apportionments are made to each state.

METROPOLITAN PLANNING ORGANIZATIONS

February 24, 2005

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Federal Guidance on CMAQ and Revocation of the 1-Hour Ozone Standard

A copy of the Federal guidance which addresses the use of Congestion Mitigation and Air Quality (CMAQ) program funds in 1-hour ozone areas after the 1-hour ozone standard is revoked is provided in Attachment II.

In California, two Metropolitan Planning Organizations, the Association of Monterey Bay Area Governments and the Santa Barbara County Association of Governments, are currently non-attainment/maintenance for the 1-hour standard, but will be attainment for the 8-hour standard. These MPOs may continue to program 1-hour ozone projects until the date of revocation, anticipated to be June 15, 2005. As of the date of revocation, non-attainment/maintenance areas for the 1-hour standard will no longer meet the basic statutory requirement for CMAQ eligibility and will not be eligible to obligate CMAQ funds except as follows:

- 1) 1-hour ozone projects included in the first three years of the federally approved TIP in existence at the time of revocation may be funded,
- 2) CMAQ funds can be used for projects that contribute to attaining the standard for other pollutants for which the area is designated non-attainment or maintenance.

Please address any questions regarding the revised CMAQ estimates to Cathy Gomes at (916) 654-3271.



RACHEL FALSETTI, Chief
Office of Federal Transportation Management Program

Attachments

- c: County Transportation Commission in SCAG Region
 - Monterey, San Benito, and Santa Cruz RTPAs
 - MPO CMAQ Coordinators
 - MPO FTIP Coordinators
 - District FTIP Coordinators
 - District Local Assistance Engineers
 - Sue Kiser, FHWA
 - Ray Sukys, FTA
 - PGray, Local Assistance



Memorandum

U.S. Department
of Transportation

Federal Highway Administration
Federal Transit Administration

SENT BY ELECTRONIC MAIL

Subject: **INFORMATION:** New Guidance on CMAQ
and Revocation of the 1-Hour Ozone Standard

Date: December 13, 2004

From: (Original signed by)
James M. Shrouds
FHWA Director, Office of Natural and Human Environment
(Original signed by)
Joseph Ossi
FTA Acting Director, Office of Human and Natural Environment

Reply to: HEPN-10/TPE-30

To: FHWA Division Administrators
FHWA Directors of Field Services
FHWA Federal Lands Highway Division Engineers
FTA Regional Administrators

This guidance addresses use of Congestion Mitigation and Air Quality Improvement (CMAQ) program funds in 1-hour ozone areas after the 1-hour ozone standard is revoked. This guidance replaces the section entitled "Revocation of the 1-Hour Ozone Standard" found on pp. 6-7 of the April 28, 1999, CMAQ Program Guidance.

Summary

Previous guidance allowed areas to update their Transportation Improvement Programs (TIPs) for a period of 4-months after the revocation of the 1-hour ozone standard. This guidance rescinds that provision. These areas may use the time up to the date of revocation (anticipated on June 15, 2005) to make any adjustments they feel are necessary to their TIPs. As noted below, nonattainment and maintenance areas that have their 1-hour ozone standard revoked may continue to fund the CMAQ projects directed at meeting the 1-hour standard included in the first 3 years of the TIP that is in existence at the time of the revocation. After the date of revocation, such projects may not be added to the TIP.

Areas in nonattainment/maintenance status for the 1-hour ozone standard at the time of revocation

This guidance examines project eligibility for areas that are nonattainment/maintenance for the 1-hour ozone standard. Unless designated for another pollutant, these areas will no longer meet the basic statutory requirement for CMAQ eligibility and will not be eligible to obligate CMAQ funds, except as follows.

CMAQ funds can continue to be obligated for projects that contribute to reduced emissions of ozone precursors included in the first 3 years of the TIP or State TIP that is in place at the time of revocation. CMAQ funds can also be used for projects that contribute to attaining the standard

for other pollutants (CO, 8-hour ozone, PM_{2.5} or PM₁₀) for which the area is designated nonattainment or maintenance. Alternatively, at the discretion of the State DOT, CMAQ funds can instead be redirected toward CMAQ projects in other areas within the State that are in nonattainment/maintenance status for CO, 8-hour ozone, PM_{2.5} or PM₁₀.

The rules on “mandatory” and “flexible” CMAQ funds still apply, regardless of changes in 1-hour status. Aside from the exception noted in the paragraph above that allows areas to continue to fund projects that reduce ozone precursor emissions, mandatory CMAQ funds must be used for CMAQ projects in nonattainment/maintenance areas, if any exist. If no such areas exist in the State, the funds can be considered flexible, and can be used for CMAQ or STP type projects anywhere in the State. See p.5 of the 1999 CMAQ guidance for more information on programming “mandatory” and “flexible” funds. See Table 4, Part 2 *Mandatory/Flexible Spending Amounts Pursuant to 23 USC 149(c)* for TEA-21 to see the portion of CMAQ funds that is flexible by fiscal year (<http://www.fhwa.dot.gov/tea21/funding.htm>).

Apportionments

As explained in 23 USC 104(b), CMAQ apportionments are calculated based on the populations of 1-hour ozone and CO nonattainment and maintenance areas only. One-hour ozone areas will no longer be included after the standard is revoked (except for the very few 1-hour maintenance Early Action Compact areas). Any changes to the CMAQ formula will be addressed following enactment of a reauthorization bill, assuming such bill adds PM_{2.5} and 8-hour ozone areas to the apportionment formula.

TEA21 APPORTIONMENT FORMULA

2004-2005 FEDERAL FISCAL YEAR
CONGESTION MITIGATION AND AIR QUALITY (CMAQ)
UPDATED OZONE FACTORS and 2003 POPULATION

Statewide CMAQ Distribution

\$387,600,000 \$387,600,000

MPO/County (Air Basin)	Factors (Nonattainment or Maintenance)				REVISED ESTIMATED February 22, 2005 2004-2005 CMAQ Distribution	ESTIMATED April 2, 2004 2004-2005 CMAQ Distribution ^c	DIFFERENCE between ESTIMATED April 2, 2004 and February 22, 2005
	2003 Population ^a	1-hr Ozone (O ₃) ^a	Carbon Monoxide (CO) ^a	2003 Weighted Population			
<i>AMBAQ</i>	722,333	0.8		577,866	4,553,694	4,560,362	(6,668)
Monterey	414,449	0.8		331,559	2,612,748	2,591,700	21,048
San Benito	56,300	0.8		45,040	354,923	350,312	4,611
Santa Cruz	251,584	0.8		201,267	1,586,023	1,618,350	(32,327)
Butte	211,010		0.8	168,808	1,330,238	1,309,574	20,664
Fresno	850,325	1.4	1.1	1,309,501	10,319,105	9,270,738	1,048,367
Kern	713,087	1.4	1.1	1,098,154	8,653,656	7,686,846	966,810
Kings	138,564	1.4	1.1	213,389	1,681,541	1,501,520	180,021
<i>SCAG Region/</i>	<i>17,262,730</i>			<i>28,700,757</i>	<i>226,167,254</i>	<i>220,656,561</i>	<i>5,510,693</i>
Los Angeles (SCAB) ^b	9,563,515	1.4	1.2	16,066,705	126,608,598	124,662,172	1,946,426
Los Angeles (MDAB) ^b	307,991	1.4	1.2	517,425	4,077,403	4,015,482	61,921
Riverside (SCAB) ^b	1,398,667	1.4	1.2	2,349,761	18,516,549	17,138,020	1,378,529
Riverside (SSAB) ^b	383,983	1.4	1.2	645,091	5,083,437	4,703,988	379,449
Orange	2,957,766	1.4	1.2	4,969,047	39,157,005	38,592,558	564,447
Ventura	791,130	1.3		1,028,469	8,104,525	7,961,942	142,583
San Bernardino (SCAB) ^b	1,517,497	1.4	1.2	2,549,395	20,089,705	19,231,783	857,922
San Bernardino (MDAB) ^b	342,181	1.4	1.2	574,864	4,530,032	4,350,616	179,416
Madera	133,463	1.4	1.1	205,533	1,619,638	1,436,694	182,944
Merced	231,574	1.4	1.1	356,624	2,810,263	2,490,005	320,258
MTC (SF Bay Area)	6,434,130	1.1	1.1	7,785,297	61,349,577	61,688,419	(338,842)
MTC (Solano Co-SF Bay Area)	214,827	1.3	1.1	307,203	2,420,814	2,351,535	69,279
MTC (Solano Co-Sac Metro AB) ^b	197,509	1.3	1.1	282,438	2,225,662	2,239,272	(13,610)
SACOG (inc El Dorado & Placer)	2,010,797	1.3	1.1	2,875,440	22,658,995	21,667,155	991,840
San Diego	2,930,886	0.8	1.1	2,579,180	20,324,411	30,032,919	(9,708,508)
San Joaquin	632,760	1.4	1.1	974,450	7,678,849	6,765,800	913,049
Santa Barbara	403,134	0.8		322,507	2,541,416	3,810,435	(1,269,019)
Stanislaus	492,233	1.4	1.1	758,039	5,973,486	5,325,208	648,278
Tulare	390,791	1.4	1.1	601,818	4,742,438	4,253,304	489,134
Tahoe ^b	48,716	1.3	1.1	69,664	548,964	553,653	(4,689)
Statewide Totals	34,018,869			49,186,667	\$387,600,000	387,600,000	\$0

A FFWA 2003 population by nonattainment area and county

B SCAG Air Basins, MTC Sac Metro, and Tahoe population ratios extrapolated from FFY 2002-2003 apportionments (based on EPA Green Book Nonattainment Status by county <http://www.epa.gov/oar/oaqps/greenbk/any.html>)

C Incorporates MTC/SACOG correction October 8, 2004 for Solano County

TEA-21
CMAQ APPORTIONMENT
FACTORS

OZONE (O ₃)		
Nonattainment	Moderate	1.1
Nonattainment	Serious	1.2
Nonattainment	Severe	1.3
Nonattainment	Extreme	1.4
Maintenance	Submarginal	0.8
Maintenance	Marginal	1.0
CARBON MONOXIDE (CO)		
Nonattainment (CO only)		1.0
O ₃ or CO mice previously elig		0.8
CO mice and O ₃ n/a or mice 1.1 x O ₃		
CO n/a and O ₃ n/a or mice 1.2 x O ₃		